

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

Pedro Chairez,

Plaintiff,

v.

C.A. No. 11-644-GMS

Perry Phelps, et al.

MOTION FOR APPOINTMENT OF COUNSEL and if granted,  
REQUEST FOR EXTENTION OF TIME TO FILE POSSIBLE MOTION FOR  
RE-HEARING/CONSIDERATION BASED ON GRANTING THE DISMISSAL OF  
PLAINTIFFS' CONDITIONS OF CONFINEMENT CLAIMS/DUE PROCESS.

Defendants' Motion for Summary Judgment was granted in-part for the claims on condition of confinement and Due Process; and was also DENIED for the excessive force claims, which means a potential trial.

Plaintiff would like to make the court aware that he was a hostage in the recent James T. Vaughn prison revolt. (See EXH. A for confirmation). Following the aftermath of said uprising, DOC officials destroyed all of Plaintiff's and everyone's property e.g. T.V.'s, Radios, clothes, hygiene, family fotos, etc. (from C-Bldg.). Most significantly, Plaintiff lost ALL his legal work, law books, affidavits, legal notes, interrogatories, discovery, admissions, and fotos of the incident.

Plaintiff has absolutely none of his legal material for this civil suit except the recent court order DK#82 and the Def's Reply Brief on their Summ. Jtry.

Therefore, plaintiff is ill-prepared and completely unable to adequate defend and conduct a civil ~~trial~~ trial. Based on these extraordinary circumstances, Plaintiff begs the court to appoint counsel in this case. I no longer have sufficient funds to pay for copies of all the missing material, and would be at a loss to mount a trial.

And if the court finds mercy in its decision, Plaintiff would like an extension of time to possibly file a motion for re-consideration in regards to the claims that were just dismissed.

RESPECTFULLY SUBMITTED this 17<sup>th</sup> of Sept. 2017.

Pedro Ch.

Plaintiff.

EXHIBIT A



STEPHEN A. HAMPTON  
ANTHONY V. PANICOLA

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JOHN S. GRADY  
*RETIRIED*

March 29, 2017

**LEGAL MAIL**

Pedro Chairez SBI #670878  
James T. Vaughn Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977

**RE: Prison Revolt at JTVCC**

Dear Mr. Chairez:

I am researching the prison revolt at JTVCC and how inmates have been treated at JTVCC. I plan to file complaints against the DOC employees and any police officers involved in abusing inmates after February 1st at JTVCC. I might file multiple complaints because of the large number of inmates involved, however, I plan to convert all individual cases into a class action if the court will allow it.

Preparing suits takes time, especially when dozens of inmates have been brutalized. I like to file complaints that are thorough and accurate so that they do not get dismissed by the court. If you want to be considered as a plaintiff in a lawsuit against abusers at JTVCC, you can sign one of the fee agreements I am sending with this letter and return it to me. If it later turns out that there is a problem that keeps me from adding you to a lawsuit, I will notify you.

I have also enclosed a questionnaire for you to fill out and return to our office regarding the events that happened. If you have copies of any grievances or sick call requests please send them to me. If you ask me to return them we will do so. Furthermore, I have enclosed a medical authorization form for you to sign so we can get your medical records from January 1, 2017 to present.

In addition to the medical authorization form, please find an enclosed HIPPA form from the Office of the Public Defender. It's up to you if you want to complete it. If you complete it and return it to me I will get it to the public defender and somebody in that office will look to see if they can assist you in some way.

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**GRADY & HAMPTON, LLC**  
ATTORNEYS AT LAW

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JOHN S. GRADY  
*RETIRED*

September 6, 2017

Inmate at JTVCC  
James T. Vaughn Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977

**RE: Poor Medical Care**

Dear Inmate:

I am continuing to work on a complaint for all inmates abused after the February revolt. The complaint will include claims of physical abuse, psychological abuse, destruction of property, deprivation of food, denial of adequate medical and mental health care, and any other abuse that seems to be related to the revolt.

I have hundreds of pages of information from hundreds of sources about the suffering of inmates abused at JTVCC, and I am sorting through all of it. Because of the volume of information, I have not been able to respond personally to every request of every inmate. I will try to make sure that every relevant issue is addressed in the complaint that I plan to file, and expect that such a complaint will eventually benefit every inmate at JTVCC.

I am extremely concerned about the lack of adequate healthcare at JTVCC and other DOC prisons. I don't want to wait until the complaint is filed before complaining to the press and government officials about it. So if you can continue to send me copies of grievances about medical care and the response to the grievances, it will help me keep pressure on DOC and Connections to provide care.

The investigative team's final report about the revolt has been released and in my opinion the report is incomplete. It does not address how to get better healthcare for inmates and does not discuss the lack of any investigation of the criminal abuse of inmates on and after 2/2/17. I do not see the inmates trusting any promises of DOC if these issues are not addressed.

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